

Law Office of Anne Donnelly Bush, Esq.

1085 Warburton Avenue, Ste. 824

Yonkers, New York 10701

Telephone: (914) 239-3601

Fax: (914) 219-3145

Email: adblaw@annedonnellybush.com

August 18, 2010

By Mail & Fax (212) 805 0206

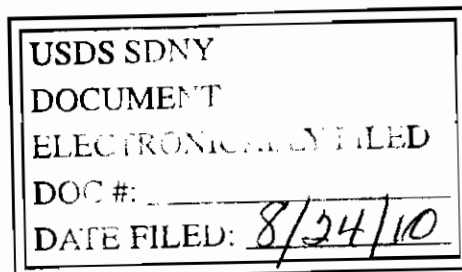
Chambers of Hon. James C. Francis

Daniel Patrick Moynihan

United States Courthouse

500 Pearl St.

New York, NY 10007-1312



RE: Tropp v. CBS, et al.

Case number: 10 cv 446

(RMB)  
(JCF)

Dear Hon. Judge Francis,

I represent the plaintiff Cynthia Tropp in the above referenced matter and write to advise the court that Defendant Charles Becker was personally served at his home on July 21, 2010, by Chesapeake Services (see copy of affidavit of service attached, dated August 5, 2010).

I respectfully request that this court retroactively extend the time by which to serve Mr. Becker until July 21, 2010 pursuant to Federal Rule 4(m). This is the second application of its kind, the this court already having extended the time for service until June 21, 2010 (See order, dated May 28, 2010).

The additional time was necessitated by the fact that on May 27, 2010, I mailed Mr. Becker a copy of the summons and complaint to his home in Berlin, Maryland, and requested that he waive formal service of a summons by signing and returning a waiver. Mr. Becker failed to sign and return the waiver, and therefore on June 22, 2010, I instructed Chesapeake Services to serve Mr. Becker personally at his home address. However, Chesapeake Services failed to serve Mr. Becker until July 21, 2010, due to a mistake in their communication with their process server Jami Kellett (see copy of affidavit of service attached, which explains their miscommunication).

Defendants do not oppose the present application.

Respectfully submitted,

Anne Donnelly Bush

8/24/10  
Application granted.  
SO ORDERED.  
James C. Francis IV  
USMJ

Encl. Affidavit of Service of Jami Kellett; Endorsed letter dated 21 May, 2010; Endorsement from Electronic Filing System

cc:

Daniel N. Jocelyn, Esq. (via email)

Monica Asher, Esq. (via email)